



VALLEJO POLICE DEPARTMENT

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111 AMADOR ST VALLEJO, CA 94590

Case
17-8723

CRIME REPORT

OFFENSES	Offenses	Description	Fel/Misd	Date Occurred	Time Occurred	Incident #	
	69 PC	Obstruct/Resist Exec Off	Felony	07/08/17-07/08/17	1600 - 1600	1707080144	
	O/A Warrant FELONY	Outside Warrant Arrest FELONY	Felony				
	3056 P.C.	Violation Of Parole:fel	Felony	Date Reported	Time Reported		
	32 PC	Accessory	Felony	07/08/2017	1600		
	10851R	VEHICLE RECOVERY		Related Cases			
22655.5	Evidence - See Veh Code			Date Printed	Time Printed	Printed By	
				02/07/2018	16:10:03	2107	
				Latitude	Longitude		
				38.108040	-122.256460		
	Location	Beat	Area	Disposition		Dispo Date	
	City Park, Louisiana St/Sonoma Bl, Vallejo, CA 94590	6	603	Clrd By Adult Arrest		07/08/2017	
	Location Type	Location of Entry	Method of Entry	Point of Entry	Alarm System	Means of Attack (Robbery)	
	Street/Highway						
	Victim	Drivers License	Cell Phone	Email			
	Tonn, Jarrett #673						
	Residence Address	Notified of Victim Rights	Residence Phone	DOB	Age	Sex	Race
	VPD	No				M	
	Business Name and Address	Business Phone	Height	Wt	Hair	Eyes	
	Vallejo Police Department, 111 Amador St, Vallejo, CA 94590	707-648-4321					
	Assistance Rendered/Victim Disposition		Transporting Agency	Means of Attack (Assaults)			
	Description of Injuries		Other Information				
	Witness	Drivers License	Cell Phone	Email			
	Residence Address	Residence Phone	DOB	Age	Sex	Race	
	Business Name and Address	Business Phone	Height	Wt	Hair	Eyes	
			Action Taken	Charges			
			OTHER				
	Residence Address	Residence Phone	DOB	Age	Sex	Race	
	Business Name and Address	Business Phone	Height	Wt	Hair	Eyes	
	Identifying Features	Cell Phone	Drivers License	Arrest Number			
	Aliases						
VEHICLES	Status	Vehicle Make and Model		License/State	VIN		
	Impounded/VETO Impounded/VETO	2005 White Gmc Sierra 2008 Green Toyt Cam		CA CA			
OFFICERS	Prepared By	Date	Assisted By	Approved By		Date	
	673 - Tonn, Jarrett	07/08/2017		331 - Robinson, Herman		07/10/2017	
	Routed To	Date	Routed To	Date	Notes		
	Detective Bureau Detective Bureau						

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CRIME REPORTCase
17-8723

Arrested Plancarte, David		Action Taken OTHER	Charges 32 PC			
Residence Address [REDACTED]		Residence Phone	DOB 09/15/1996	Age 20	Sex M	Race H
Business Name and Address		Business Phone	Height 5'10"	Wt 170	Hair BLK	Eyes BRO
Identifying Features Build: Medium Complexion: Medium		Cell Phone	Drivers License [REDACTED]		Arrest Number 6083	
Aliases						
Victim [REDACTED]		Drivers License	Cell Phone [REDACTED]	Email		
Residence Address [REDACTED]		Notified of Victim Rights No	Residence Phone [REDACTED]	DOB	Age	Sex [REDACTED]
Business Name and Address		Business Phone	Height	Wt	Hair	Eyes
Assistance Rendered/Victim Disposition		Transporting Agency	Means of Attack (Assaults)			
Description of Injuries		Other Information				
Witness [REDACTED]		Drivers License	Cell Phone [REDACTED]	Email		
Residence Address [REDACTED]		Residence Phone	DOB [REDACTED]	Age [REDACTED]	Sex [REDACTED]	Race [REDACTED]
Business Name and Address		Business Phone	Height	Wt	Hair BRO	Eyes
Witness [REDACTED]		Drivers License [REDACTED]	Cell Phone	Email		
Residence Address [REDACTED]		Residence Phone [REDACTED]	DOB [REDACTED]	Age [REDACTED]	Sex [REDACTED]	Race [REDACTED]
Business Name and Address		Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]
Detention Only Hurtado, Victor E		Drivers License [REDACTED]	Cell Phone	Email		
Residence Address [REDACTED]		Residence Phone	DOB 03/25/1985	Age 32	Sex M	Race H
Business Name and Address [REDACTED]		Business Phone	Height 5'7"	Wt 180	Hair BLK	Eyes BRO
Mentioned - Other [REDACTED]		Drivers License [REDACTED]	Cell Phone [REDACTED]	Email		
Residence Address [REDACTED]		Residence Phone	DOB [REDACTED]	Age [REDACTED]	Sex [REDACTED]	Race [REDACTED]
Business Name and Address		Business Phone	Height [REDACTED]"	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]

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CRIME REPORTCase
17-8723

	Mentioned - Other [REDACTED]	Drivers License [REDACTED]	Cell Phone	Email			
	Residence Address [REDACTED]		Residence Phone [REDACTED]	DOB [REDACTED]	Age [REDACTED]	Sex [REDACTED]	Race [REDACTED]
	Business Name and Address		Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]
	Mentioned - Other [REDACTED]	Drivers License	Cell Phone [REDACTED]	Email			
	Residence Address		Residence Phone	DOB	Age	Sex	Race
	Business Name and Address		Business Phone	Height	Wt	Hair	Eyes
	Registered Owner [REDACTED]	Drivers License	Cell Phone	Email			
	Residence Address [REDACTED]		Residence Phone	DOB	Age	Sex [REDACTED]	Race
	Business Name and Address		Business Phone	Height	Wt	Hair	Eyes

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**VALLEJO POLICE DEPARTMENT**

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CRIME REPORT - PROPERTY

17-8723

ID No.	Status/Disposition	Property Description	Value	Val Recovered	Val Damaged
1	Evidence	2053-1 - 1 Glock - 2053-1-GLOCK 21 45 CALIBER HANDGUN (OFFICER TONN) ()			
2	Evidence	2053-8 - 1 - 2053-8-METAL OBJECT - PLACARD 10			
3	Evidence	2053-3 - 1 - 2053-3-ALCATEL CELL PHONE AND BATTERY - PLACARD 5			
4	Evidence	2053-5 - 1 - 2053-5-LARGE BAG WITH UNKNOWN WHITE SUBSTANCE			
5	Evidence	2053-6 - 1 - 2053-6-SMALL BAG WITH UNKNOWN WHITE SUBSTANCE			
6	Evidence	2053-2 - 1 - 2053-2-ALCATEL BACK OF CELL PHONE - PLACARD 4			
7	Evidence	2053-4 - 1 - 2053-4-BLK COOLPAD CELLPHONE - PLACARD 6			
8	Evidence	2053-7 - 1 - 2053-7-EAGLE TORCH - PLACARD 9			
9	Evidence	2053-9 - 1 - 2053-9-MY CHARGER - PLACARD 11			
10	Evidence	2053-10 - 1 - 2053-10-3 EXPENDED CASINGS LOCATED ON THE CORNER OF PACKARD ALLEY AND SANTA CLARA (1116)			
11	Evidence	571-1 - 1 - DVD-STATEMENT OF () ()			
12	Evidence	571-2 - 1 - DVD-STATEMENT OF () ()			
13	Evidence	571-3 - 1 - () SKETCH OF () ()			
14	Evidence	658-1 - 1 Dvd - INTERVIEW W () ()			
15	Evidence	658-2 - 1 Map - DRAWING OF () RESIDENCE			
16	Evidence	620-1 - 1 Video Surveillan - VIDEO SURVEILLANCE FROM ()			
17	Evidence	618-1 - 1 Cd - VPD RADIO TRAFFIC			
18	Evidence	618-2 - 1 Dvd - OFC. TONN INTERVIEW			
19	Evidence	618-3 - 1 Dvd - (S)-HURTADO INTERVIEW			
20	Evidence	618-4 - 1 Cd - (S)-PLANCARTE INTERVIEW			
21	Evidence	618-5 - 1 Dvd - (S)-() INTERVIEW			
22	Evidence	618-6 - 1 Email - CPL. KENNEY'S EMAIL REGARDING CARJACKING			
23	Evidence	2053-11 - 1 - 2053-11-PHOTOGRAPHS OF SCENE			

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CRIME REPORT - PROPERTY

17-8723

ID No.	Status/Disposition	Property Description	Value	Val Recovered	Val Damaged
24	Evidence	2053-12 - 1 - 2053-12-BUCCAL SWAB OF HURTADO			
25	Evidence	2053-13 - 1 - 2053-13-BUCCAL SWAB OF PLANCARTE			
26	Evidence	2053-14 - 1 - 2053-14-PHOTOGRAPHS OF HURTADO,PLANCARTE AND [REDACTED]			
27	Evidence	2053-15 - 1 - 2053-15-MAGAZINE LOADED IN OFFICER TONN'S FIREARM DURING SHOOTING. ONE BULLET IN THE CHAMBER AND 10 IN THE MAGAZINE			
28	Evidence	2053-16 - 1 - 2053-16-ADDITIONAL MAGAZINE WITH 13 LIVE ROUNDS FROM OFFICER TONN			
29	Evidence	2053-17 - 1 - 2053-17-ADDITIONAL MAGAZINE WITH 13 BULLETS FROM OFFICER TONN			
30	Evidence	509-1 - 1 Pictures - GOOGLE EARTH (5) IMAGES			
31	Evidence	618-7 - 1 Cd - [REDACTED] SANTA CLARA VIDEO			
32	Evidence	618-9 - 4 Photos - STILL PHOTOS TAKEN FROM VIDEO			
33	Evidence	618-8 - 1 Dvd - FINAL ENHANCED VIDEO			

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 1

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17-8723

On 07/08/2017 Officer Carpenter and I were working as a Vallejo Patrol Unit. We were both wearing full police uniform and driving a fully marked police car. We were patrolling the area of Alabama and Marin looking for a wanted vehicle, license plate [REDACTED]. The vehicle was wanted for PC 215-car jacking out of Napa County.

Earlier that day I received an email from Detective Kenney regarding two males who were wanted out of Napa for carjacking and assault with a deadly weapon. The two males who were wanted were PLANCARTE, David and HURTADO, Victor. Both males were documented gang members. The outstanding carjacking vehicle was described as a green Toyota Camry ([REDACTED]).

At approximately 1559 hours we were driving east on Alabama towards Marin. I observed a vehicle matching the description parked on the south side of the road facing east. I observed two males standing at the rear of the car with the trunk open. The males were later identified as HURTADO, Victor and PLANCARTE, David.

As we got closer to the vehicle I observed both males walk away from the vehicle. HURTADO walked south into City Park and PLANCARTE walked east on Alabama. PLANCARTE got into the passenger side of a white truck, license plate [REDACTED]. The truck was parked on the south side of Alabama facing east just west of Marin Street. Right when PLANCARTE got into the truck it drove off east on Alabama Street.

Officer Carpenter and I were attempting to conduct a felony car stop of the vehicle when we both heard shots being fired in the area of City Park. I heard over the radio that Officer Tonn was in a foot chase with HURTADO and that HURTADO had a gun. Officer Carpenter and I conducted a traffic stop on the truck and both occupants were detained without issue.

PLANCARTE was sitting in the front passenger seat and [REDACTED], was the driver of the vehicle. Both ID were confirmed via Cal Photo. A records check indicated PLANCARTE was a parolee at large.

Both occupants of the vehicle was driven to the station. During my time contacted PLANCARTE and [REDACTED] I did not discuss anything related to the incident.

Officer Carpenter and I went back out to the scene to assist in the capture of HURTADO. On scene I assisted in scene security.

Nothing Further.

D. Jones

Prepared By:

653 JONES, DYNELLE

Date:

07/08/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 2

Page 1

17-8723

On 7/8/17, I was working patrol for the Vallejo Police Department as a two man unit with Ofc. D Jones. I was fully uniformed and driving fully marked patrol vehicle #137.

At approximately 1523 hours, I received an email from Detective Kenney regarding two males who were wanted out of Napa for carjacking and assault with a deadly weapon. The two males who were wanted were S-David Plancarte and S-Victor Hurtado. Earlier in the day on 7/8/17, both S-Plancarte and S-Hurtado were the suspects who reportedly held a gun to a victim and pistol whipped him ultimately knocking him unconscious.

Both S-David Plancarte and S-Victor Hurtado are documented Sureno Gang members and are on CDC Parole. Additionally, S-Plancarte was wanted for a gang related robbery from two weeks prior. S-Plancarte was recently released from prison and is a parolee at large. S-Plancarte has prior arrests for violently resisting police officers and for firearm related arrests.

At 1540 hours, I called Ofc. Keener of the Napa Police Department who is a friend of mine to ask him if he was familiar with the above mentioned wanted suspects and if he had any additional information. Ofc. Keener is currently assigned to the Special Enforcement Unit (SEU) for the Napa Police Department and I know he has had numerous contacts with documented Napa Gang Members, including but not limited to S-Victor Hurtado and S-David Plancarte.

Ofc. Keener advised he had previously arrested S-Plancarte during an incident where S-Plancarte tossed a loaded firearm and violently resisted him. Additionally, S-Hurtado had previously been arrested for assault with a deadly weapon.

At approximately 1559 hours, I was driving eastbound on Alabama Street between Marin Street and Sacramento Street when I observed the 2008 Toyota Camry () parked on the south side of Alabama Street facing east. There was a large mobile home parked in front of this Toyota Camry and a 2005 GMC Sierra () parked in front of the mobile home.

There were two Hispanic males standing at the trunk of the 2008 Toyota Camry. Based on the photos from Detective Kenney's email I believed the individuals were S-David Plancarte and S-Victor Hurtado.

Both individuals glanced at Ofc. Jones and I, turned their body's away from us, and began to walk away from the vehicle. Both parties began walking in different directions. S-Victor Hurtado began walking quickly southbound through City Park while S-Plancarte got into the front passenger seat of a 2005 GMC Sierra (). As the 2005 GMC Sierra drove eastbound on Alabama Street towards Sonoma Blvd, Ofc. Tonn turned westbound onto Alabama Street towards my location.

I advised Ofc. Tonn we had located the carjacking vehicle and one of the wanted subjects was walking southbound through City Park wearing a white t-shirt.

Ofc. Jones and I continued to follow the 2005 GMC Sierra, and ultimately conducted a felony traffic stop on the vehicle on Louisiana Street west of Sonoma Blvd.

At the time of our traffic stop I overheard Ofc. Tonn in foot pursuit with a subject who had a firearm. Shortly after I heard several shots fired west of my location.

Ofc. Jones contacted both occupants of the vehicle, (driver) and S-David Plancarte (front passenger). S-David Plancarte was placed under arrest and was detained. Both parties were

Prepared By:

651 CARPENTER, WILLIAM

Date:

07/08/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

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111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 2

17-8723

transported back to the police department where they were placed in holding cells.

I drove back to the area of Santa Clara Street and Placard Alley where a perimeter was set to contain the subject Ofc. Tonn was in foot pursuit with.

At this point my assignment was to maintain perimeter. Hours later, the subject Ofc. Tonn was in a foot pursuit with was located inside of our perimeter. This individual was S-Victor Hurtado and I positively identified him as the other male who was standing at the rear of the Toyota Camry () with S-David Plancarte. Furthermore, this was the individual who I observed walking southbound through City Park.

At 1945 hours, I towed the 2005 GMC Sierra () under an evidence tow.

Ofc. Carpenter #651

Prepared By:

651 CARPENTER, WILLIAM

Date:

07/08/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 3 - [REDACTED]

17-8723

CASE: 17-8723

CODE: 69 PC

CRIME: Obstruct Officer

LOCATION: Santa Clara St/Alabama St
Vallejo, CAWITNESS: [REDACTED]
[REDACTED]
Vallejo, CA

On 07/08/17 at approximately 1900 hours, I was contacted by Detective Sergeant Fabio RODRIGUEZ who requested I assist with the officer-involved shooting that occurred today in the area of Santa Clara Street and Alabama Street. During the course of this investigation I was tasked with interviewing Witness [REDACTED]. [REDACTED] drove herself to the Vallejo Police Department and I contacted her in the front lobby. I escorted [REDACTED] into a non-secure interview room that is audio-video recorded. My interview with [REDACTED] was later downloaded to a CD and booked into evidence by Detective CAITHAM.

This report is only a summary of the events that [REDACTED] and I discussed. For further information refer to the attached CD that has been placed into evidence.

[REDACTED] stated that she lives at [REDACTED] in the upstairs unit. She stays there with [REDACTED] and a friend, [REDACTED] who has been staying with her for the past couple weeks. On today's date she woke up, did some errands around the house, and got breakfast for her family. Sometime between the hours of 1430 and 1500 she was inside her residence. She stated that [REDACTED] was [REDACTED] on Georgia St and [REDACTED] was on the back porch using her cell phone because it has better reception outside. She stated that as she walked outside on the back porch, she heard what she believed to be three gunshots. She stated that she knows what gunshots are because she has fired guns in the past and she has heard them while living at her residence. She believed the initial gunshots came from the area west of her residence. She stood on her back porch and looked south towards Packard Alley. She believed the person who fired their weapon may come through the alley behind her residence and she wanted to see what was going on.

As she stood outside on the porch with [REDACTED], she heard a male voice say, "Bitch, you tried to shoot me, bitch nigga." Again she stated that this was a male voice and said she could hear him clearly. She then saw what she believed to be a Hispanic male walking along the

Prepared By:

658 MARTINEZ, JASON

Date:

07/08/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 3 -

17-8723

pathway on the east side of her residence. She initially thought that the male was her neighbor because her neighbor is also Hispanic. The male she saw walk into her yard had dark slicked back hair, was wearing a white t-shirt, and dark or black jeans. She stated that this male was a Hispanic male adult, approximately 20 years old. Believing that this male was her neighbor she called out his name, [REDACTED]. When the male did not answer she saw the male continue to walk into her backyard near her compost pile. At this time, she reentered her residence. As she was walking inside her residence, she heard a thud and saw the male's hands make a motion as if he dropped something in the compost pile.

I asked [REDACTED] if she saw what the male dropped and she did not, but she believed the male dropped a gun based off of the thud sound and the gunshots she had heard. [REDACTED] said she also told [REDACTED] that the male had dropped a gun.

When she went back into her house, she closed the door and began looking out the back window. She saw the male enter her rear shed and close the doors behind him.

Due to hearing the gunshots, the male walking into her back yard and hearing the police sirens, she believed that the male that she had seen come into her backyard may have possibly shot a police officer. She said that her and [REDACTED] ran out the front door and contacted a police officer who was in the area and told them that a male had walked into her backyard. [REDACTED] had no further information at this point.

This concluded my interview with [REDACTED].

Det J MARTINEZ

ADDITIONAL PERSONS

Witness -

Sex: [REDACTED], Race: [REDACTED], Height: [REDACTED], Weight: [REDACTED], Hair: [REDACTED], Eyes: [REDACTED]

Address: [REDACTED]

Cell: [REDACTED]

Witness -

DOB: [REDACTED]

Sex: [REDACTED], Race: [REDACTED], Height: [REDACTED], Weight: [REDACTED], Hair: [REDACTED], Eyes: [REDACTED]

Address: [REDACTED]

Prepared By:

658 MARTINEZ, JASON

Date:

07/08/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 4 - [REDACTED]

17-8723

CASE NUMBER: 16-8723

CODE: 69 PC

CRIME: Obstruct Officer

LOCATION: Santa Clara St/Alabama St
Vallejo, CAWITNESS: [REDACTED]
Vallejo, Ca

While Detective Caitham and I were interviewing witness, [REDACTED], I was contacted by Detective Greenberg, who requested I interview [REDACTED]. He stated that [REDACTED] was in the front lobby and had information related to the shooting.

I contacted [REDACTED] in the front lobby of the Vallejo Police Department and I escorted her into a secured interview room. This interview room is audio/video recorded. This recording was later downloaded to a DVD and placed into Vallejo PD evidence as Item 658-1. My report regarding this interview is only a summary of events. For further information, refer to the DVD that was placed into evidence.

[REDACTED] told me that she currently lives at [REDACTED] with her husband, [REDACTED]. She said that on today's date and time, she was inside her front living room when she heard what she believed to be three gunshots. She initially thought that the gunshots were fireworks, but then realized they were gunshots. She looked out her front window and she saw what she believed to be a light skinned Caucasian male or Hispanic male standing on the northeast corner of Santa Clara Street and Packard Alley. She stated that this person was wearing light colored clothing and a hat similar to a fisherman's hat. The male was running with a gun in his hand northbound on Santa Clara Street towards Alabama Street. She stated that she did not recognize this male and she was unable to identify him.

[REDACTED] told me that she did not see this male shoot the gun, but only looked outside after hearing what she believed to be three gunshots. [REDACTED] stated that she had heard the police arrive shortly thereafter and she had no further information.

I drew a sketch of the area to include Packard Alley and Alabama St. [REDACTED] said her residence was on [REDACTED]. When she looked out [REDACTED], she told me that she saw the male with the gun on the north east corner of Packard Alley and Santa Clara St. I drew a small box indicating this on the sketch. I later placed this sketch into evidence as item 658-2.

Prepared By:

658 MARTINEZ, JASON

Date:

07/08/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017



VALLEJO POLICE DEPARTMENT

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SUPPLEMENT 4 -

17-8723

This concluded my interview with .

Det. J MARTINEZ

ADDITIONAL PERSONS

Witness - DOB:
Sex: Race: , Height: , Weight , Hair: , Eyes:
Address:
Cell:

Witness - DOB:
Sex: , Race: , Height: , Weight , Hair: , Eyes:
Address:

Prepared By:

658 MARTINEZ, JASON

Date:

07/08/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 5 - video surveillance

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17-8723

On 7/8/17 at about 1600 hrs, I responded to a report of suspects fleeing from a carjacking vehicle. Officer(s) had chased one subject and shots were fired during the foot pursuit. I assisted with a search for the suspect as part of the SWAT team. Following the search, I assisted with scene security and canvassing.

I spoke with [REDACTED] who stated that she witnessed the suspect running north on Santa Clara street with a firearm in his hand. [REDACTED] went to the Vallejo Police Department and was later interviewed by Detectives.

I spoke with [REDACTED] at [REDACTED] Santa Clara St. [REDACTED] stated that she had video surveillance of a portion of the foot pursuit. The video surveillance system time seemed accurate when viewed on her mobile device. I viewed the video which shows the suspect running west on packard alley and then north on Santa Clara St. I appears he is holding his hands close to the center of his body while running (instead of the normal arm swing while running). The suspect goes off camera and an Officer can be observed firing what appears to be three shots. The foot pursuit continues and is covered by a different camera angle. The suspect can be seen running east on Alabama street and out of view. The Officer appears to pause near Alabama and Santa Clara until additional officers arrive.

I took a video recording of the surveillance as it played on [REDACTED] mobile device. She was unsure how to download the video at the time.

I booked those recordings into Evidence.Com

I was contacted by a male subject (from phone [REDACTED]) who identified himself as the resident of [REDACTED] Santa Clara. He expressed hesitation in providing the downloadable copies of the video surveillance. The male stated he was in a different state currently but would be willing to meet with Detectives during the following week when he returned. I provided him my contact information along with VPD Investigations Division information.

-Cpl. S.Kenney 620

Prepared By:

620 KENNEY, SEAN

Date:

07/09/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017



VALLEJO POLICE DEPARTMENT

111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 6 - Initial investigation

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17-8723

On 7/8/2017 I was working uniformed patrol for the Vallejo Police Department assigned to Squad 5 as 5P1. At approx. 1601 hours I responded to the 300 block of Alabama Street. Officer Tonn had advised over the radio that a Hispanic male adult suspect with short black hair, wearing a white t-shirt, and black pants had fled into one of the back yard sheds on the 300 Block of Alabama Street.

Officer Bottomley and I obtained permission from the homeowners at [REDACTED] Alabama Street [REDACTED] to enter their residents. We then conducted a security sweep of the residence and used windows on the top floor of the residence as perimeter positions. We were then joined by Cpl. Acfalle and Officer Tolentino, who also took perimeter positions within the residence

At approx. 1847 hours Officer Acfalle spotted a subject matching the description of the suspect to the rear of the residence. We detained the subject, who was later identified as (AR)Victor Hurtado without incident.

I secured Hurtado in the back seat of a VPD unit and left the scene.

I did not question Hurtado, nor did he make any spontaneous statements towards me during our interaction.

My Axon body camera battery had died shortly before detaining Hertado so the incident was not recorded.

Nothing further.

Officer N. Sloan #686

Prepared By:

686 SLOAN, NICKOLAS

Date:

07/09/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 7

17-8723

07/08/2017

1601 Hours

On the above date and time, I was working Vallejo Police Street Patrol. I responded to Officer Tonn #673 who advised he was chasing a carjacking suspect through a park located in the area of Sacramento Street and Louisiana Street. Officer Tonn advised the suspect was a Hispanic male wearing a white t-shirt, and black pants. While driving to assist Officer Tonn, he advised shots were fired and the suspect fled into the back yard shed somewhere in the 300 block of Alabama Street.

I arrived to the location. Officer Sloan #686 and I obtained permission of the residence of [REDACTED] Alabama Street [REDACTED] to enter their residence and use it for an "over watch position". The building was a two story building with a three level deck on the south side. Officer Tolentino #625, Cpl. Acfalle #537 and Officer Macho #702 arrived to the over watch position with us soon after.

At approximately 1847 hours, Cpl Acfalle stepped onto the deck to view below us. I heard Cpl Acfalle yelling at the suspect fitting the description to surrender peacefully. I assisted in covering Cpl Acfalle while Officer Sloan and Tolentino detained the suspect. The suspect was later identified as Victor Hurtado, who was the suspect Officer Tonn was chasing. I later transported Hurtado to VPD for processing without incident. I did not question Hurtado but he did spontaneously state in the vehicle that he was in the park and that he committed no crime. Hurtado questioned why VPD officers were arresting him. Nothing further at this time.

S. Bottomley #687

Prepared By:

687 BOTTOMLEY, SPENCER

Date:

07/09/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

111 AMADOR ST VALLEJO, CA 94590

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CASE NUMBER: 17-8723

CODE: PC 69

CRIME: Obstruct Officer

LOCATION: Marin Street/ Louisiana Street
Vallejo, CA

VICTIM: Ofc. Jarrett TONN, Badge # 673

SUSPECT 1: HURTADO, Victor

DOB: 03-25-85

DL # [REDACTED]

SUSPECT 2: PLANCARTE, David

DOB: 09-15-96

CDL # [REDACTED]

SUSPECT 3: [REDACTED]

DOB: [REDACTED]

CDL # [REDACTED]

On 07-08-17, at 0323 hours, I received an email from Corporal Sean KENNEY, who is a Vallejo Detective assigned to the United States Marshal's Task Force. The email was regarding two parolees who were Suspects in a carjacking last night in Napa County. They were identified as (S)-David PLANCARTE and (S)-Victor HURTADO. The email contained their pictures and driver's license numbers. The email stated that both subjects were wanted for Carjacking, Assault with a Deadly Weapon, Felonious Battery with Gang Enhancements. The email stated during the assault, the suspects took the victim's vehicle and his cell phone. Both of these subjects were on parole and documented Sureño gang members. It stated that PLANCARTE was recently released from prison and was a parolee at large, and he had prior arrests for PC 69- Resist with Violence Against Police Officers, and various firearm charges. It was stated HURTADO had priors for Assault with Deadly Weapons. The vehicle listed in the email as carjacked was a green Toyota Camry, license plate # [REDACTED].

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At approximately 1630 hours, I received a call at home from Detective Sergeant Fabio RODRIGUEZ. He stated officers had located the carjacked vehicle near City Park in downtown Vallejo. A foot pursuit ensued, and an officer had discharged his firearm at one of the subjects. Sergeant RODRIGUEZ told me it was unknown at this time if the subject was hit by the officer's bullet; however, he was hunkered down in a yard, and the SWAT team was on scene, attempting to locate the subject. He asked me to stand by and be ready to come out at a later time.

At 1730 hours, Sergeant RODRIGUEZ called me and asked me to respond to the scene. I responded to the command post, which was located at the fire station located at Marin Street/ Louisiana Street. I was directed to the location of the carjacked vehicle, which was at the southwest corner of Alabama Street/ Marin Street facing eastbound. It was a green Camry, license plate [REDACTED], the same one entered as a stolen vehicle and the same car in Det. Kenney's email. I went and looked into the vehicle through the windows and did not open the vehicle. I did not see anything of interest through the windows.

I then responded to Packard Alley/ Santa Clara Street, as I was told by other officers that was where the shooting occurred. Officers had attempted to locate the casings and were unable to. Packard Alley runs east-west between Alabama Street and Louisiana Street. The alley is south of Alabama Street and north of Louisiana Street.

I was told that they believed the suspect was hunkered down in a shed in the backyard of the 300 block of Alabama Street. I then responded to the station where Officer TONN was being sequestered by Sergeant POSTOLAKI. We were met by PA BOURSAW, who took photos of Officer TONN and collected his firearm. Officer TONN'S attorney, [REDACTED], arrived from the Mastagni Holstedt Law Firm. I was told by Sergeant POSTOLAKI he accompanied Officer TONN to the CRT office to download his body camera footage, and it would be on the server shortly.

I then reviewed the video of Officer TONN. It shows Officer TONN running east through Packard Alley, exiting onto Santa Clara Street. Officer TONN makes a northbound turn, and I see a subject in a white tee shirt at the corner of Alabama Street and Santa Clara Street. As soon as Officer TONN comes out of the alley, he yells "Drop it!" and fires three rounds at the subject in the white tee shirt. The subject in the white tee shirt, later identified as HURTADO, then runs eastbound on Alabama Street. Officer TONN continues to run northbound on Santa Clara Street and slows as he approaches the intersection. He then crosses Alabama Street to the northeast corner of the street, while speaking on his radio, directing other units in. On the video, you can see a woman in the passenger seat of a blue Prius that just pulled up tell him that the subject just ran into a backyard on Alabama Street.

After that car drives away, two Napa County Sheriff's Deputies in an unmarked police vehicle

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arrive. Officer TONN then encounters two women in the middle of the street who come running out of [REDACTED] Alabama Street saying there is a subject in the backyard, he just ran into the shed. The Napa County Sheriff's Deputies and Officer TONN form a perimeter on the house as other officers arrive.

Officer TONN then goes back across the street to speak with the two women that came running out of the house. They were identified later as (W)- [REDACTED] and (W)- [REDACTED]. They confirmed with Officer TONN they were in the backyard and they heard the police yelling at somebody and realized they were trying to catch someone. They started to go inside and they saw a Hispanic male with a white tee shirt and black slick-backed hair come into the yard and throw a gun and enter the shed area. They were later interviewed by Detectives CAITHAM and MARTINEZ. See their supplemental reports for their statements.

At approx. 1845 hrs.the SWAT team took HURTADO into custody in the backyard of [REDACTED] Alabama Street. HURTADO was not in need of any medical attention, as Officer TONN'S bullets had not struck him.

I then spoke with Officer CARPENTER, who was at the scene when the incident started. For Officer CARPENTER'S involvement, please see his report. Officer CARPENTER told me he was speaking with Detective KEENER of the Napa Police Department, who was investigating the carjacking. He had learned from Detective KEENER that [REDACTED] and they were in the area of Louisiana and Marin Streets. He and his partner, Ofc. Dynelle JONES, drove to that area and located the 2008 Camry, license plate [REDACTED], parked at the location where I had seen it next to City Park. He saw the two Suspects from the email as the carjacking suspects, later identified as PLANCARTE and HURTADO, standing at the trunk of the vehicle. When they attempted to contact the subjects, PLANCARTE got in the passenger side of a white truck, and the truck took off eastbound on Alabama Street, while HURTADO began to walk south through the park. Officer CARPENTER said he and his partner took off after the vehicle containing PLANCARTE, and Officer CARPENTER directed Officer TONN, who had just arrived, towards Victor HURTADO, who was walking through the park. Officers CARPENTER and JONES went to stop the vehicle, and he did not see what happened with Officer TONN.

Sergeant DARDEN informed me that another citizen had come forward, later identified as [REDACTED]. She told an officer at the scene that she saw a man running with a gun from the police. [REDACTED] was interviewed by Detective MARTINEZ. See Detective MARTINEZ' supplemental report.

I was then informed by [REDACTED] that she would like to do a scene walk-through with Officer TONN. I drove Officer TONN and [REDACTED] to the area. We were there for approximately 30 minutes and I did not hear the conversation between Officer TONN and his

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attorney. I then brought them to the Vallejo Police Station.

Detective YATES and I interviewed Officer TONN in an interview room. The interview was recorded. In the interview room was Detective YATES and I, Officer TONN, and his attorney, [REDACTED]. The interview was recorded and booked into Evidence. For Ofc. TONN'S exact statements, refer to DVD. I asked if he was willing to make a statement regarding this incident, and he said he wanted to. Officer TONN told me the following in summary:

Officer TONN has been a police officer with the Vallejo Police Department for almost three years. He had approximately seven years of police experience at the Galt Police Department prior to coming here. He was assigned 5P5 today, which means he works Team 5, Day Shift, as a solo patrol unit in Beat 5. Officer TONN was wearing his full police uniform and duty belt at the time of the incident. He was still wearing that during the interview, and he explained what was on his belt. He stated he carries a department-issued Glock 21 .45 caliber pistol with three fully-loaded magazines with 13 rounds each, and one bullet in the chamber of his gun. He stated he was driving Patrol car number Unit 175. Officer TONN stated he was not injured, nor did he receive any damage to his equipment during this incident.

I asked Officer TONN what happened, and he stated the following:

Officer TONN stated he had received an email at approximately 3:30 from Detective Sean KENNEY. It was a Be on the Lookout email regarding PLANCARTE and HURTADO. They were suspected of using a handgun to carjack a subject in Napa County earlier this morning. Both men were known to be felons and parolees with weapons charges. They were also validated Sureño gang members. He learned that the subjects had put a gun to the VICTIM'S head and knocked him unconscious, taking his car. He learned that the Napa Task Force was [REDACTED]

[REDACTED] at Alabama Street and Marin Street with [REDACTED].

Officer TONN stated he was initially at Sonoma Blvd./ Benicia Rd. and drove to the area to attempt to locate the carjacking vehicle. He intended to locate the vehicle and watch it and wait for additional units. As he was driving northbound on Marin Street, he saw the car parked on Alabama Street and Marin Street, on the southwest corner facing east. He recognized the car and was just going to drive by and park and wait for additional units. He saw that there was a police vehicle right next to the carjacking vehicle. He did not know if those officers knew that they were out with a carjacking car or if it was an unrelated stop. At that time, he decided to go assist the other officers, not knowing if they were aware they were out with the carjacking vehicle.

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He stopped next to the other patrol car and Officer CARPENTER then directed him towards the Hispanic male wearing a white shirt, running southwest through the park. Officer TONN stated he saw the subject in a white tee shirt and black pants jogging southwest through the park towards the play structure. Officer TONN continued west on Alabama Street, then south on Sacramento and east on Louisiana Street. He parked his vehicle on the wrong side of the street, up on the curb next to the park.

He was looking for the man, as he had temporarily lost sight of him. He then saw some moms in the park with their children. The women were looking all in the same direction near the play structure. He looked through the slats in the wooden play structure and saw the subject in the white tee shirt attempting to conceal himself by crouching down behind the play area. Officer TONN then got out of his car and began to sprint directly at the subject in the white tee shirt. He said within a few seconds, the suspect looked up and saw him and began running northwest through the park, towards Sacramento Street. Officer TONN said he pursued the man, and he advised Dispatch that he was in a foot pursuit with an armed carjacking Suspect and asked for a Code 33.

Officer TONN continued running west along the playground area and then north onto Sacramento Street. As he followed the subject into the alley, he saw the man had a gun in his right hand. Officer TONN said he initially did a doubletake, because he wasn't initially sure that it was a gun and then he realized it was in fact a handgun. He stated he was within ten yards or so of the Suspect.

Officer TONN then advised over the radio that the Suspect had a gun. Officer TONN stated he told the Suspect he would shoot and to stop, and he did not; the Suspect continued running west through the alley. About midway through the alley, the Suspect shoved the gun back in his waistband, which concerned Officer TONN. Officer TONN said he had been in foot pursuits with subjects with guns before, and as soon as he saw the gun, they (the suspects he has chased) had discarded it. The fact that this man did not discard the gun and "reholstered," as he described it, to keep the gun, he was scared what the man's intentions were with keeping the gun. He feared that he would be shot or ambushed, or other officers responding to the scene would be shot by the subject.

As they started to exit the alley onto Santa Clara Street, he saw the subject's elbow moving and his hands near the front of his waistband, like he was trying to get the gun out of his waistband. Officer TONN was wondering why the gun did not come out and believed that he had possibly got the gun stuck on his clothing and was having difficulty getting it out.

As Officer TONN approached the corner, he slowed down and attempted to slowly clear the corner, to avoid rushing out of the alley and being ambushed and shot by the Suspect. When

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he exited the alley, he saw the Suspect at the corner of Alabama Street and Santa Clara Street. He was worried about himself being shot and ambushed, as the subject was trying to remove his gun. He was also worried that the officers coming to assist him might be shot. He did not know Officers CARPENTER and JONES had taken off after a white truck that the other subject had gotten into. He had assumed that they had turned around and were coming eastbound on Alabama Street directly at him to assist him.

Fearing for his own safety, citizen safety, and the arriving officers' safety, with a known violent felon carjacker armed with a handgun, he fired three shots at the subject to stop him from possibly shooting or injuring someone. After the shots were fired, the Suspect then fled eastbound on Alabama Street. Officer TONN stated he did not know if the Suspect had been shot.

As he approached the intersection, he slowed down and lost sight of the Suspect. He again tried to slowly clear the side of the house on the corner so he did not get ambushed by the Suspect. Officer TONN stated he advised Dispatch that he had fired shots and the Suspect had a gun. Officer TONN crossed northbound across Alabama Street to the northeast corner so he could have a better view of the south side of Alabama Street. Officer TONN felt due to the time that it took him to catch up to the Suspect that the Suspect had hunkered down in a yard on the south side of Alabama Street.

After a few seconds, a citizen in a car came up to him and told him that the subject had run into a yard and pointed to [REDACTED] Alabama Street. Officer TONN advised Dispatch and did not pursue and tried to direct units in to set a perimeter.

At that time, two Detectives from the Napa County Sheriff's Deputies arrived in an unmarked police vehicle and assisted Officer TONN in helping him set the perimeter. While setting the perimeter, two females from (he believed) [REDACTED] Alabama Street came out and told him there was a man who ran into their shed and threw a gun down.

Officer TONN said once officers arrived and they set a perimeter on the yard where the man was described to have gone, he went back and recontacted the females. He activated his body camera and asked them what the color of the gun was and asked them where the gun was thrown. He said they did not know.

After enough units got there, Officer TONN stated he began to walk to the command post at Marin and Louisiana Street. While he was walking back, he noticed the carjacking vehicle was still parked at the park and there was no police officer securing with the car. Officer TONN stated he stood by with the car until he was relieved by Napa County Deputies. After the Napa County Deputies arrived, he then walked to the command post.

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Officer TONN stated that his car did not have video.

We then took a break and returned a few minutes later back to the interview room. Detective YATES then went over Officer TONN'S statement with him again. After going over the statement, the interview was concluded.

Detective CAITHAM and I then interviewed HURTADO. HURTADO was brought into an interview room and the interview was recorded and booked into Evidence. For exact statement, refer to DVD. HURTADO then told us the following.

HURTADO stated he was at City Park with some friends. He did not want to tell us what friends or why he was at the park. HURTADO stated he had a beer on him and a dope pipe. HURTADO stated he saw the police arrive and at that time, he started walking through the park. He is not familiar with Vallejo and he did not know which way he was walking, but he was attempting to get away by walking through the park. He stated he knew he was on parole and he was not supposed to have beer or a drug pipe, so he wanted to get away. He began walking through the park towards the play structure. HURTADO stated he then left the play structure and started running across the street and into an alley. HURTADO said the police were chasing him. While running in the alley, he tossed his dope pipe and his beer. He described that he had a tall can of an unknown type of beer. He did not want to be caught with those items by the police.

He then ran through the alley and turned onto a street when he exited the alley. As he got to the corner of the street, he said somebody fired a gun at him. HURTADO said he was scared for his life, so he continued to run down the street and hid in a backyard. HURTADO stated he never looked back and never saw who was chasing him. I asked if he knew it was a police officer, and he stated he was not sure, because he never saw them, but assumed it was. Throughout the interview, he then stated he never looked back and never assumed it was a police officer and didn't know who was chasing him. He stated he is not from Vallejo and doesn't know anybody and doesn't know why anybody would be chasing him, but he was scared for his life.

He then hunkered down and didn't realize the police were the ones chasing him. He never heard the police sirens or police officers yelling at him to come out, until the very end, which was why he did come out. I asked HURTADO if he had a gun today, and he said no, he does not carry guns. He stated he has never been arrested with a gun and has never possessed a gun.

The interview was concluded and Napa County Deputies came into the interview room and interviewed HURTADO regarding their carjacking case.

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Detective CAITHAM and I then interviewed (S)- PLANCARTE. PLANCARTE was read his rights and he invoked his right to remain silent. The interview was recorded on my digital recorder and booked into evidence.

Detective CAITHAM and I then interviewed (S)-[REDACTED]. The interview was recorded and booked into Evidence. For exact statement, refer to DVD. See Detective CAITHAM'S supplement for [REDACTED] statement.

As of 1200 hours on 07/09/17, the gun seen in the hand of HURTADO has not been found. Officers from the Vallejo SWAT Team searched the route of the foot pursuit and the sheds and backyard area where HURTADO was located for a couple of hours and the gun was not found.

HURTADO was booked into Solano County Jail for PC 69, and his parole agent issued a parole detainer. PLANCARTE was booked into Solano County Jail on his Parolee at Large Warrant. [REDACTED] was under arrest for PC 32, Accessory after the Fact, and he was released per PC 849 (b) from the Vallejo Police Department.

Investigation continues.

Det. R. Greenberg #618

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SUPPLEMENT 9 - [REDACTED]

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CASE NUMBER: 17-8723

WITNESS:

[REDACTED]
[REDACTED]
Vallejo, CA 94590
[REDACTED]

On 07/08/17 at approximately 1628 hours, I received a phone message advising that there was a SWAT call-out being initiated for an officer involved shooting involving a carjacking suspect. The suspect had fled on foot after the shooting.

On arrival, the suspect had been identified as Victor HURTADO. Once on scene, I assisted with a yard to yard search of the 400 block of Louisiana. During the search, the suspect was located by perimeter units at [REDACTED] Alabama Street, in the backyard. Hurtado was taken into custody.

I received a phone call from Detective Sergeant Rodriguez in regards to this case. He asked if I could assist with the investigation of the case. I responded to the Vallejo Police Department to assist with the investigation.

Once at the station, I was advised that witnesses [REDACTED] and [REDACTED] were coming to the Police Department to be interviewed. It was my understanding that these two witnesses advised initial police on scene that the suspect had been seen in their backyard and gone into their shed. Both [REDACTED] and [REDACTED] arrived at the Vallejo Police Department. Myself and Detective Martinez spoke with [REDACTED] first. See Detective Martinez's report for details.

We next spoke with [REDACTED]. She was taken to an interview, which is audio and video recorded. The following is a summary of the interview. Please see recording for full details.

[REDACTED] advised that she lived at [REDACTED] Alabama Street, [REDACTED] and has lived there for approximately one month with [REDACTED]. She stated that on this date, 07/08/17, she woke up at around 10 in the morning. She and [REDACTED] went out to the store and then went to [REDACTED] mother's house, at which point they returned to their home, [REDACTED] Alabama, at around 1200 to 1300 hours.

[REDACTED] advised that after arriving home, at some point, she was sitting on the porch in the backyard because she gets a WI-FI signal there. She believed it was around 1400 hrs. She

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advised that the porch is two stories and she was sitting on the second story. She stated that, at this time, the door to the house was open, which leads to the kitchen and that [REDACTED] was inside the kitchen. [REDACTED] advised that she heard three to four gunshots in the alley, which is to the rear of her house. She stated that she also heard police sirens and heard cops yelling to "Stop". She advised that she thought someone was shooting at the police.

She stated that [REDACTED] also heard the gunshots and stated it. She stated that [REDACTED] then came to the door and told [REDACTED] to get in. [REDACTED] then went inside the house; however, [REDACTED] remained in the doorway, partially standing on the porch. [REDACTED] stated that upon seeing that [REDACTED] was still outside, she went to [REDACTED] to try to pull her back in the house. At that point, she saw a Hispanic male adult with black hair, wearing a white t-shirt, dark jeans and beat up shoes walking on the left side of the yard. She advised that he appeared to be 5'8" in height and of medium build and estimated him to be in his late 20s. She advised that the male was calmly walking along the left side of the rear of the house. He then cut through the middle of the yard and began walking toward a shed in the yard on the right side. The subject did not say anything and she did not say anything to the subject.

As the subject approached the shed, [REDACTED] advised that there is a compost pile. She stated that as the subject approached the compost pile, he made a throwing motion with his hands and she heard a thud. She believes that he threw a gun on the ground. She believed this based on the sound that object made when it hit the ground. She did not see a gun but saw the subject make a throwing motion. The suspect then walked to the shed and went inside, closing the door.

[REDACTED] advised that the subject would crack the shed door and appeared to be peeking out. He did this multiple times. [REDACTED] advised that she and [REDACTED] then fled from their house out the front and once in front of their house, they observed a police officer, flagged him down and informed him that the male subject had gone into their backyard and was now in their shed. She stated that she and [REDACTED] then waited across the street at their [REDACTED] house.

[REDACTED] advised that she later observed the police bring out a handcuffed suspect from the rear of her yard. She stated that as they brought the subject out, she recognized him as the same person she had seen walking into their yard, through their yard, and going into their shed.

[REDACTED] drew a diagram of her house and the rear yard and the areas where the suspect had walked. That diagram was later booked into evidence. I booked the recorded interviews of [REDACTED] and [REDACTED] into evidence as well.

It should be noted that the subject who was arrested in the rear of [REDACTED] Alabama was

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positively identified as Victor HURTADO.

Nothing further. Investigation ongoing.

CAITHAM 571

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Date:

07/09/2017

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SUPPLEMENT 10 - [REDACTED] statement

17-8723

CASE: 17-8723

WITNESS: [REDACTED]

Vallejo, CA 94591
DL# [REDACTED]

On 07/09/17, at approximately 0130 hours, myself and Detective GREENBERG spoke with [REDACTED] at the Vallejo Police Department. The interview with [REDACTED] was recorded via video recorder. The following is a summary. Please see recording for full details.

I read [REDACTED] his Miranda Rights using a department issued Miranda card. [REDACTED] advised that he understood his rights.

[REDACTED] advised that he was at the park located near Louisiana and Sacramento Street on 07/08/17. He advised, initially, he was at his house when he received a phone call from David PLANCARTE. Initially, [REDACTED] advised that PLANCARTE was his friend and that at around 1400 hours, on 07/08/17, PLANCARTE called [REDACTED] asking for a ride. [REDACTED] stated that PLANCARTE advised to meet at the park. When [REDACTED] arrived, he observed PLANCARTE standing near the park and then he picked him up and was going to take him to his [REDACTED] house, however, the police arrived and pulled [REDACTED] over. Both [REDACTED] and PLANCARTE were arrested.

I asked [REDACTED] if PLANCARTE was associated or had a vehicle. [REDACTED] advised that he did not have a vehicle and that he did not know PLANCARTE to have a vehicle. During the interview, I asked [REDACTED] if PLANCARTE was associated with a car on this date, 07/08/17, and eventually, [REDACTED] advised that PLANCARTE was associated with a car. He did not know what type of car it was, but stated that it was gray. [REDACTED] advised that he drove his [REDACTED] white GMC truck to the park to pick up PLANCARTE.

[REDACTED] then advised that PLANCARTE called him at 1400 hours and asked him to help jump his car. Earlier in the interview, [REDACTED] had stated he did not know PLANCARTE to have a car. I asked [REDACTED] where PLANCARTE got the car and [REDACTED] advised that he did not know and that he did not know whose car it was. [REDACTED] stated that Plancarte did not tell him where he got the car or tell him who the car belonged to. He indicated that Plancarte did not tell him anything about the car. At one point, [REDACTED] stated that the car could have belonged to the person that PLANCARTE was talking to at the park. [REDACTED] stated that he had seen PLANCARTE speaking with another Hispanic male at the park.

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SUPPLEMENT 10 - [REDACTED] statement

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[REDACTED] advised that when he arrived at the park, he saw PLANCARTE at the park near the gray car which had its trunk opened. He advised that jumper cables were already out of the car. [REDACTED] advised that they hooked the jumper cables up to his truck and PLANCARTE's car. He stated that PLANCARTE then got into the gray car and tried to start it. At first, it seemed to be working, however, in the end, it didn't work. PLANCARTE then got into [REDACTED] truck. [REDACTED] advised that he was going to take PLANCARTE to his house on [REDACTED]. As they pulled away, multiple police units arrived in the area and [REDACTED] was pulled over.

[REDACTED] stated that he had seen PLANCARTE talking to another person at the park. He stated at one point in the interview, [REDACTED] advised that this male subject was also seated in PLANCARTE's car. He stated that the male subject was seated in the passenger's seat of PLANCARTE's car, and that at one point, both PLANCARTE and the Hispanic male were in the car together when PLANCARTE tried to start the car without success. [REDACTED] advised that when the police showed up, this was about the time when PLANCARTE's friend left. He did not see which way he went. He did not know if the subject left walking or running. He stated that he had never seen the subject before and that he did not know who the subject was.

[REDACTED] advised that when PLANCARTE got in [REDACTED] vehicle, he did not say anything. When the police showed up, PLANCARTE also did not say anything. He did not tell [REDACTED] to drive or to get out of the area. [REDACTED] stated that when the police showed up, PLANCARTE was calm and was not acting strange. [REDACTED] advised that PLANCARTE was not nervous, and that as they started to drive away and the police stopped them, they were both arrested at gunpoint and the police said "[REDACTED]". [REDACTED] He advised that Plancarte did not say anything while they were being arrested.

[REDACTED] advised that he knows PLANCARTE from Napa. He stated that he met him through his older brother. He advised that he had last seen PLANCARTE approximately a week ago.

[REDACTED] advised that while at the park area, he never heard any gunshots and did not see the police chasing anyone.

I asked [REDACTED] if he knew a Victor Hurtado and he advised that me did not know that person.

[REDACTED] was asked about his gang affiliations and he advised that he is not in a gang but that he perefers southerners also known as Surenos.

[REDACTED] was later released per 849 (b) PC. He was identified by DMV photo and his California ID.

A copy of the recording was booked into Vallejo Police Evidence.

Prepared By:

571 CAITHAM, JOSH

Date:

07/09/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017



VALLEJO POLICE DEPARTMENT

111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 10 - statement

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Nothing further at this time.

CAITHAM 571

Prepared By:

571 CAITHAM, JOSH

Date:

07/09/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 11 - Sierra 1 - Sniper Supplemental

17-8723

On 7/8/2017 at about 1600 Hours, Ofc. Tonn said over the radio he was in foot pursuit of an armed subject running with a gun in his hand. The foot pursuit started in the area of City Park west of Sacramento Street with the suspect running behind the apartment complex at [REDACTED] Alabama Street. I was Ofc. Macho's Field Training Officer and we were assigned to a restraining order violation call with an arrestee. We transported the arrestee to the station and left him in a holding cell.

We brought Peace Keeper 1 to the last known location of the armed suspect to provide mobile hard cover. A high ground position had already been established in the 2nd floor apartment watching over a shed the suspect was last seen going into. We went moved into the overwatch position and I assumed the Sierra 1 sniper/observer role. We were watching a shed/garage door located on the S/W corner of [REDACTED] Alabama. The shed was single floor, approximately 200 square feet in size. The main car sized garage doors were on the north side of the garage facing Alabama Street. To the south of the shed/garage was [REDACTED] Alabama, a detached and separate 2 story apartment complex.

Our vantage point was on the 2nd floor above the shed. When I arrived there were windows on the east and west side of the apartment, as well as an open rear door and open window on the south side. The south side door and window overlooked the east side shed/garage man sized door. It was this door which the resident of [REDACTED], saw the suspect go into. Ofc. Sloan watched the garage door from the west side window. Ofc. Bottomley watched the man sized door from the south side window. I overwatched the south side of the backyard from the opened rear door. Ofc. Macho provided security to the east side through that window. Just outside my rear door was a porch landing and 2 flights of stairs leading to ground level.

At about 1847 Hours, Ofc. Bottomley told me the shed door was opened, but he didn't see anyone come out of it. I suspected there was a concealed area at the bottom of the stairs just below me, which the suspect could hide under. Ofc. Bottomley and I had already devised an action plan that if we made contact with the suspect, I would give commands and he would put that information out over the radio. I stepped out on the porch landing, looked to the east and south. Just as I looked over the west side porch railing I saw an HMA wearing a white tshirt and black pants sneaking out from under the stairwell. I ordered him to put his hands up & I could clearly see there was nothing in his hands. The subject looked up at me with a look of giving up. The suspect laid on the ground and placed his hands behind his back. I took over communications and said over the radio that we had positive contact with the suspect, that he was down on the ground and we could see his hands with nothing in them.

Ofc. Sloan ran down the stairs and I sent Ofc. Tolentino down with him to take the suspect into custody. Since the shed door was open, Ofc. Bottomley went down the stairs and covered the officers from the opened shed door. I ran down the stairs and told Ofc. Macho to provide overwatch. Once I hit ground I had Ofc. Macho come down.

I had Ofc. Bottomley secure the east side man door of the shed/garage, while I ran around to the front side of it. Neither of us were able to enter the shed/garage, because it was completely filled with commercial sized freezers and ice makers.

I relayed the occurrence to Sgt. Darden and later to the SWAT Mission Leader Cpl. Joseph. I heard on the radio the subject we took into custody had been positively identified by officers as the correct

Prepared By:

537 ACFALLE, DAN

Date:

07/09/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017



VALLEJO POLICE DEPARTMENT

111 AMADOR ST VALLEJO, CA 94590
SUPPLEMENT 11 - Sierra 1 - Sniper Supplemental

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subject.

This ended my involvement with this incident. Forward this supplement to Investigations.

Corporal Acfalle #537 - Squad 5

Prepared By:

537 ACFALLE, DAN

Date:

07/09/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 12 - Secondary search 070917

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On 070917 at approx. 1300 hrs. Det. Caitham and I responded to [REDACTED] Alabama St. in attempt to locate Hurtado's firearm. We responded with a metal detector to look through some planters and through the bamboo stalks.

After some time in the areas with loose dirt, nothing was located. I then called for VFD to respond with a ladder to check rooftops close to the area Hurtado was located. I checked the roof of the detached garage Hurtado was located next to and didn't locate anything. VFD then used a chainsaw to cut large pieces of bamboo in the rear yards of [REDACTED] and [REDACTED] Alabama St. where Hurtado could have thrown the gun into or concealed inside the thick branches. No firearm was located.

Det. R. Greenberg #618

Prepared By:

618 GREENBERG, ROB

Date:

07/09/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 13

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On 07/08/2017 @ 16:00 hrs. I was working Vallejo Police Department street patrol as the supervisor for Vallejo Police Patrol Squad Five. I was wearing a full Vallejo Police uniform including the appropriate badging, patches, and weapons belt. Additionally I was driving marked Vallejo Police car #150, which is equipped with emergency lighting and a steady forward facing red light. I next responded to the area of the 300 block of Alabama St. to assist Ofc. TONN and other Vallejo Police officers who were engaging armed "carjacking" suspects. Ofc. TONN had footchased and shot his duty firearm at later identified S.) HURTADO who was in possession of a firearm and had threatened the Ofc. TONN with it.

Upon arrival on the 300 block of Alabama St. I observed victim/witnesses fleeing from their residence N/B across the street. It was determined that HURTADO had fled into the block and possibly hidden behind [REDACTED] Alabama St. in a outdoor shed. It should also be noted that numerous Napa County Sheriff's Office tactical officers were on scene had been following the suspects. Please refer to NAPA Sheriff's Office Case # 17-2908.

Sgt. DARDEN who also arrived at the scene and I began coordinating perimeter and tactical efforts in an attempt to apprehend the suspect and maintain, both public safety and the OIS shooting scene. After coordinating tactical and investigative efforts. The entire scene and tactical command was transferred to VPD Tactical officers.

I then contacted and sequestered Ofc. TONN. I drove Ofc. TONN to the area of the OIS in and effort to make sure that we had maintained the OIS shooting scene. I next transported Ofc. TONN to VPD. Ofc. TONN remained in my presence and maintained the integrity of his duty equipment. Det. GREENBERG contacted us at VPD and took over the OIS investigations.

I recorded the incident with my Taser body camera. I downloaded the footage at VPD. No further information at this time.

Sgt. Postolaki 559

Prepared By:

559 POSTOLAKI, TED

Date:

07/09/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017



VALLEJO POLICE DEPARTMENT

111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 14

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On 07/08/2017 at approximately 1600 hrs, I heard Officer Tonn engage in a foot pursuit. Corporal Acfalle and I were on a separate call at [REDACTED] on a restraining order violation. While entering the house, I heard Officer Tonn advise that he was in foot pursuit of a PC 215(Carjacking) suspect who was armed with a gun and shots had been fired. I entered the home and took custody of the male and placed him in my patrol car. Corporal Acfalle and I responded to the VPD holding cells and placed the subject in cell A4.

Corporal Acfalle and I responded to the scene in a Peacekeeper vehicle. Once on scene I learned that suspect, Victor Hurtado, Corporal Acfalle and I proceeded to the second floor of [REDACTED] Alabama Street to provide overwatch. Corporal Acfalle assigned me to cover the sector directly to the southeast of the house.

I was keeping watch when I heard Corporal Acfalle step outside onto the porch. I then heard Corporal Acfalle tell someone to stop and that he had positive identification on the suspect. I exited onto the porch with Corporal Acfalle and I saw a male in a white t-shirt and black pants laying on his stomach with his hands behind his back in the backyard. I provided cover to officers as they proceeded down the stairs to take him into custody. Once officers took him into custody I transitioned to covering an open shed door.

Other officer's arrived on scene and the male was confirmed as Victor Hurtado.

There is nothing further at this time.

-Officer J. Macho #701

Prepared By:

701 MACHO, JAMES

Date:

07/09/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

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111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 15 - OFFICER TONN, SCENE AND SUSPECTS

17-8723

Report Date: July 8, 2017
Agency: Vallejo Police Department
Agency Case #: 17-8723
Suspects: [REDACTED]

HURTADO, VICTOR
PLANCARTE, DAVID

Location: Marin and Louisiana
Crime: 69 PC
TOC: 1600

CRIME SCENE INVESTIGATION - SUPPLEMENTAL REPORT**OVERVIEW**

On July 8, 2017 at approximately 1645 hours I was contacted by Sergeant Fabio Rodriguez advising of a Vallejo Police Officer was involved in a shooting and he requested that I respond and photograph the officer involved then respond to the scene and process the scene.

I processed Officer Tonn at the Vallejo Police Department and then responded to the scene.

I completed processing the evidence at approximately 2230 hours. At 2245 hours Corporal Botello contacted me to respond back at the Vallejo Police Department to process three individuals who were arrested in this case. I completed this task at approximately 0030 hours.

PURPOSE OF EXAMINATION

To photograph the officer involved in the incident on July 8, 2017 and collect his duty weapon.

To process the scene and collect evidence discovered by Vallejo Police Officers and book the items collected.

To process three individuals arrested during the incident on July 8, 2017 at approximately 1600 hours with the Vallejo Police Department case number 17-8723.

EVENT DESCRIPTION

On July 8, 2017 Officer Jarret Tonn was on duty and involved in a chase with individuals suspected of carjacking a vehicle in a neighboring city. During the chase Officer Tonn discharged his duty weapon 3 times on the corner of Packard Alley and Santa Clara in a northern direction.

I responded to the Vallejo Police Department and met with Officer Jarret Tonn who was accompanied by Sergeant. T. Postolaki. I photographed Officer Tonn in uniform as he was at

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2053 DAILEY, STEPHANIE

Date:

07/09/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 15 - OFFICER TONN, SCENE AND SUSPECTS

17-8723

the time of the shooting. Office Tonn then provided me with his duty weapon, a Glock 21 45 caliber with serial number [REDACTED]. I collected his duty weapon, the bullet in the chamber along with 10 additional bullets in the magazine. I collected 2 additional magazines with 13 bullets in each magazine.

Upon my arrival on the scene, the carjacking vehicle was already towed and Officer Tonn's vehicle was moved from its original location. Upon receiving that information, I was directed to photographed the area where the chase began, along Packard Alley, northbound Santa Clara from Packard Alley and eastbound on Alabama Street.

Corporal Botello and I began to walk the chase path. We began at City Park, then continued westbound down Packard Alley. I photographed overalls of the areas every few feet.

At the corner of Packard Alley and Santa Clara on the north corner three yellow large placards were located. Upon further inspection of the placards I noted a casing was located at each placard. I photographed the placards in place, the casings in place and then placed my yellow placards down. My report will reference my yellow placards, beginning with placard #1.

After photographing the placards, I collected each item packaged them separately. I then retrieved my placards 1-3 and the placards placed at the scene prior to my arrival by patrol officers.

I then continued taking pictures in a northbound direction on Santa Clara. Along with photographing the area I checked the neighboring houses, vehicles, sidewalk, street and fences for possible strike marks. I was unable to locate any strike marks along the shooting path. I did not locate any evidence on Santa Clara Street.

I continued to photograph eastbound Alabama Street. It was requested the I photographed what appeared to be 3 cell phones in the back yard of [REDACTED] Alabama street, along the fence line of [REDACTED]. Upon further investigation it was noted there were two cell phones. The back of one of the Alcatel cell phone fell off which made it appear there was three cell phones. The battery of the Alcatel cell phone was also removed from the phone. These items were marked with placards 4-6. They were collected and packaged separately.

I large bag containing a white powder was located next to the shed it the back of [REDACTED] Alabama. This bag was originally marked with a large placard 16 but was then replaced with my placard #7. This bag was collected and placed in a drug envelope.

Officer Wagoner provided me with a small bag with white powder which he located in the shed. See his report for further information pertaining to locating the bag. This bag was placed in a drug envelope and sealed.

Prepared By:

2053 DAILEY, STEPHANIE

Date:

07/09/2017

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553 IACONO, JOE

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

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111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 15 - OFFICER TONN, SCENE AND SUSPECTS

17-8723

A torch was located next to the shed and marked with placard #9. A round metal piece was located near the torch and marked with placard #10. Also near the torch was a white "MyCharger". This was marked with placard #11. These items were collected and packaged separately.

I remained at the scene while the Vallejo Fire Department searched the roof tops of the neighboring houses in an attempt to locate a firearm. No firearm was located.

I returned to the Vallejo Police Department Evidence Section where I sealed the property bags and entered the items into RIMS.

I returned home but then was called back to the main station by Corporal Richard Botello to process and photograph the suspects in this case.

I responded to the Vallejo Police Department and met with Officer Josh Caitham. Officer Caitham escorted me to the holding cell and requested that I photograph three individuals arrested in this case.

Officer Caitham brought out (S) PLANCARTE, DAVID from the holding cell. I photographed Plancarte in the clothing he was detained in. After photographing him I obtained a Buccal swab. Officer Caitham returned Plancarte to the holding cell.

Officer Caitham then brought out (S) HURTADO, VICTOR from the holding cell. I photographed Hurtado in the clothing he was detained in. After photographing him I obtained a Buccal swab. Officer Caitham returned Hurtado to the holding cell.

Officer Caitham then brought out (S) [REDACTED] from the holding cell. I photographed [REDACTED] in the clothing he was detained in. I did not obtain a Buccal swab from [REDACTED].

I placed the Buccal swabs in a secured locker and exited the Vallejo Police Department.

EXAMINATION RESULTS

I was requested to respond to the Vallejo Police Department on July 8, 2017 to assist in an incident that occurred at approximately 1600 hours in which an officer of the Vallejo Police Department discharged his firearm.

I processed Officer Tonn and acquired his duty weapon.

Prepared By:

2053 DAILEY, STEPHANIE

Date:

07/09/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 15 - OFFICER TONN, SCENE AND SUSPECTS

17-8723

I then responded to the scene and photographed the scene and collected evidence.

I was later asked to process three individuals who were detained pertaining to this incident. I photographed all three and obtained Buccal swabs from two of the individuals.

All property collected was later booked into the Vallejo Police Department evidence section and the photographs were downloaded.

PROPERTY BOOKED

2053-1-GLOCK 21 45 CALIBER HANDGUN (OFFICER TONN)
2053-2- ALCATEL BACK OF CELL PHONE - PLACARD 4
2053-3- ALCATEL CELL PHONE AND BATTERY - PLACARD 5
2053-4- BLK COOLPAD CELLPHONE - PLACARD 6
2053-5- LARGE BAG WITH UNKNOWN WHITE SUBSTANCE
2053-6- SMALL BAG WITH UNKNOWN WHITE SUBSTANCE
2053-7- EAGLE TORCH - PLACARD 9
2053-8-METAL OBJECT - PLACARD 10
2053-9- MY CHARGER - PLACARD 11
2053-10- 3 EXPENDED CASINGS LOCATED ON THE CORNER OF PACKARD ALLEY AND SANTA CLARA (1116)
2053-11-PHOTOGRAPHS OF SCENE
2053-12-BUCCAL SWAB OF HURTADO
2053-13-BUCCAL SWAB OF PLANCARTE
2053-14-PHOTOGRAPHS OF HURTADO,PLANCARTE AND [REDACTED]

Stephanie Boursaw
Senior Police Assistant
CSI #2053

Vallejo Police Department

ADDITIONAL PROPERTY

Item #23, Status: Evidence
1 2053-11-PHOTOGRAPHS Of Scene

Item #24, Status: Evidence
1 2053-12-BUCCAL Swab Of Hurtado

Item #25, Status: Evidence
1 2053-13-BUCCAL Swab Of Plancarte

Prepared By:

2053 DAILEY, STEPHANIE

Date:

07/09/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017



VALLEJO POLICE DEPARTMENT

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SUPPLEMENT 15 - OFFICER TONN, SCENE AND SUSPECTS

17-8723

Item #26, Status: Evidence

1 2053-14-PHOTOGRAPHS Of Hurtado,plancarte And [REDACTED]

Prepared By:

2053 DAILEY, STEPHANIE

Date:

07/09/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017



VALLEJO POLICE DEPARTMENT

111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 16

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17-8723

On 07/08/2017 at approx. 1601HRS, I responded to [REDACTED] Alabama St. with my K9 Partner "Clyde" to assist in an Officer Involved Shooting. A Vallejo Officer was involved in a foot pursuit of a subject who was identified as a suspect in a car jacking out of Napa County where a firearm was used. During the foot pursuit, the Vallejo Officer broadcasted that the suspect, Victor Hurtado, was holding onto his waistband and at one point was holding a firearm. Seconds after broadcasting this information, the Vallejo Officer advised that shots had been fired.

While en-route, information was broadcasted that (S) Hurtado was seen entering the backyard to the above address and entering a shed. A perimeter was set and SWAT was activated. While waiting for SWAT response, information was provided that (S) Hurtado had broke perimeter, seen entering the south alley (Packard Alley), enter the backyard to [REDACTED] Louisiana St. where he entered a shed in that yard.

Once SWAT arrived on scene, a yard to yard search was conducted with K9 "Clyde". We searched the backyards to Louisiana St leading up to the second shed. All yards were cleared up to this point with no suspect contact.

At some point SWAT deployed CS Gas in the second shed. This was done prior to deploying K9 "Clyde" in that yard. While waiting for further instruction, (S) Hurtado appeared from the shed at the Alabama St address and was taken into custody.

NFI

Ofc. Thompson #621

Prepared By:

621 THOMPSON, MARK

Date:

07/09/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017



VALLEJO POLICE DEPARTMENT

111 AMADOR ST VALLEJO, CA 94590
SUPPLEMENT 17 - Officer Brown's Observations

Page 1

17-8723

On 07-08-17, at approx. 1845 hours, I was dispatched to Santa Clara Street at Packard Ally for an article search related to an officer involved shooting. I arrived on scene with my K-9 partner "Loki". I observed the following in summary:

I started my article search for a firearm and other related items the suspect may had thrown while running from Officer Tonn at Packard Ally and Santa Clara Street.

I conducted my search on the same path the Suspect was seen running with a handgun in his hand. I search the yards of [REDACTED] Santa Clara St, [REDACTED] Santa Clara St, [REDACTED] Alabama St, [REDACTED] Alabama St, [REDACTED] Alabama St, and [REDACTED] Alabama St in that order.

"Loki" alerted on two cell phones that were located in the rear yard of [REDACTED] Alabama St. The phones were hidden inside of a bamboo tree.

The items were collected by evidence technician Boursaw.

Brown, J. #637.

Prepared By:

637 BROWN, JODI

Date:

07/09/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 18

Page 1

17-8723

On 8 July 2017 at about 1540 hours, myself and my partner Ofc. B. Wagoner #651 were patrolling our area of responsibility, wearing full VPD uniforms and working out fully marked unit #163. We responded to the area of Santa Clara and Alabama St after hearing radio traffic of another officer (J. Tonn #673) in a foot pursuit where he stated the suspect was reached in his "waist band" followed by "shots fired".

We arrived shortly after and quickly took up perimeter support on the corner of Santa Clara and Alabama St.

I was later moved to the rear of [REDACTED] Louisiana St holding watch on small yellow shed that was facing Packard alley. Moments later NAPA SO provided security to my location with a large Ballistic Armored Tactical Transport vehicle and parked it just in front of the shed. It should be noted this was the last known location that witness's stated they saw (S) run to.

A few hours later (S) was located in a nearby yard and taken into custody. I assisted a VPD K-9 handler, Ofc. J. Brown and her partner LOKI, with an article search starting from the original contact between (S) and Ofc. Tonn. Together we searched west down Packard Alley from Sacramento St. to Santa Clara St. where we discovered three expended shell casings on the n/e corner of Packard Alley and Santa Clara St. I placed three placards/markers at the location and continued with the search.

We traveled north down Santa Clara St searching each yard along the way (east side of the street) and then made a left (east) turn down Alabama St searching the residence on the south side of the street. LOKI led us to the last known area (S) was known to have been and then ultimately taken into custody.

The residence was [REDACTED] Alabama St and to the rear of the yard in the south west corner was a shed full of scrap metal which appeared to be appliances from an old restaurant. To the rear of the shed was a tree line with a fence that separated the property from other property's. The tree line had a large amount of bamboo stalks about 12-15 feet tall just next to the fence line were two cell phones appeared to be broken/damaged. We continued the search and located a small clear plastic baggy the size of a golf ball with a knot tied at the top, inside the baggy was a white powdery like substance suspected of being narcotics. Several other miscellaneous items were located and marked as evidence

All items located were taken at a later time by Crime Scene investigator Stephanie Boursaw.

Nothing further.

Ofc. J. McLeod 683

Prepared By:

683 MCLEOD, JADE

Date:

07/09/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 19

Page 1

17-8723

On 7/8/17 I was contacted by Det. Sgt. Rodriguez by phone at approximately 5:30 pm regarding an officer involved shooting in the city of Vallejo. Det. Sgt. Rodriguez said that Ofc. Tonn was involved in a foot chase with a known, wanted, armed carjacking suspect. The suspect was wanted by Napa P.D. for 215 P.C., carjacking that occurred the earlier in the day.

At the time of this call it was unknown if the suspect had been hit by the gunfire and it was believed that the suspect was contained in a perimeter including the 300 blk. of Alabama St., Sacramento, Santa Clara and Louisiana St's including Packard Alley.

Det. Sgt. Rodriguez asked me to respond to the Vallejo P.D. and conduct an interview with Ofc Tonn, adding that a formal "Protocol" response was not being initiated.

As I arrived in Vallejo, I heard over the V.P.D. main radio channel that the suspect Ofc. Tonn had chased was being detained in the rear yard of [REDACTED] Alabama and was not injured.

At The V.P.D. I reviewed Ofc. Tonn's body camera footage with Det. Greenberg. Ofc. Tonn's weapon, spare magazines were collected and Ofc. Tonn was photographed by P.A. Boursaw.

Ofc. Tonn was represented By the Mastagni / Holstedt Law firm. I spoke with Ofc. Tonn's attorney, [REDACTED], she informed me that after speaking with her client they were willing to answer questions during an interview.

Det. Greenberg, myself, Ofc. Tonn and his attorney met in a recorded interview room with in the V.P.D.

Det. Greenberg obtained some background information about Ofc. Tonn and asked Ofc. Tonn to give a narration of the incident leading up to him firing shots at the suspect and eventually Tonn being relieved at the scene and sequestered at the V.P.D.

Ofc. Tonn gave a his account of the information he had received prior to arriving in the area of the suspect and his actions after spotting the suspect vehicle and then suspect within a city park.

After listening to Ofc. Tonn recount the events, I had several clarifying questions for Ofc. Tonn, to which he answered. I then used several color "Google" earth images of the area the suspect vehicle and suspect (Hurtado) was were first spotted, the neighborhood

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509 YATES, SCOTT

Date:

07/10/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 19

Page 2

17-8723

the foot pursuit went into and the residences the suspect was eventually taken into custody behind. I used the imagaes to also help solidify Ofc. Tonn's statement and give a clear understanding of where people were during the pursuit.

These pictures were booked into evidence. Ofc. Tonn's attorney, [REDACTED] had no questions and did not make any statements during the interview.

For Ofc. Tonn's interview/statement, review the DVD recording.

S.Yates # 509

Prepared By:

509 YATES, SCOTT

Date:

07/10/2017

Approved By:

553 IACONO, JOE

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

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111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 20 - Supplemental Report

17-8723

On 08 JULY 2017 at about 1600 hours, I was at the Vallejo Police Department with other Officers on a training assignment. While at the station, we saw patrol vehicles exiting the rear lot with their emergency lights activated. Corporal J. Jaksch #615 walked to his vehicle and turned the police radio on so he, Officer D. McLaughlin #664 and I could listen to the incident.

We all decided to respond to the scene to assist with the perimeter. While driving to the area, we learned Officer Tonn #673 was involved in an Officer involved shooting after being in a foot pursuit with an armed suspect. Upon arrival, I assisted with a perimeter position in front of [REDACTED] Alabama Street. It was believed the suspect was locked down in the perimeter and possibly hiding in a shed. He was still believed to be armed and we were advised the S.W.A.T. team was going to be called out to look for the suspect.

I responded back to the Vallejo Police Department in order to pick up some of my S.W.A.T. equipment. I responded to the command post and assisted other S.W.A.T members with searching for the suspect. The suspect was eventually found and placed under arrest without incident.

After the Suspect was safely taken into custody, I assist other Officers with searching for the firearm which the Suspect had discarded during the foot pursuit. Officer D. McLaughlin, Corporal B. Herndon #433, and I assisted with searching the roof of [REDACTED] Alabama Street, the roof of [REDACTED] Alabama Street, the West and East yard of the front house of [REDACTED] Alabama Street with negative results. Corporal Herndon and I also searched the front yards of [REDACTED] Alabama Street, [REDACTED] Alabama Street, and [REDACTED] Alabama Street with negative results. I also searched the West yard of [REDACTED] Alabama Street with negative results.

Corporal Herndon and I searched the southeast basement of the front house of [REDACTED] Alabama Street with negative results. Corporal Herndon, Corporal Jaksch, Officer D. McLaughlin, Officer D. Jones #653, Officer B. Wagoner #650, and I searched the rear shed of [REDACTED] Alabama Street, where the suspect was believed to have possibly been hiding, and we could not locate the firearm.

After an extensive search, we all cleared the scene.

Refer to the main report for further details.

Ofc. R. McLaughlin #663

Approved by Lt H. Robinson #331
07-10-2017

Prepared By:

663 MCLAUGHLIN, RYAN

Date:

07/10/2017

Approved By:

331 ROBINSON, HERMAN

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 21

Page 1

17-8723

On 08 July 2017 at approximately 1600 hours, I was at the Vallejo Police Department for S.W.A.T. training. We observed several marked police units drive out of the station "code 3" and heard that there was a VPD Officer in a foot chase. Ofc R. McLaughlin #663, Cpl J. Jaksch #615, and I elected to respond. As we got into Cpl Jaksch's patrol unit, we heard that this incident was actually an officer involved shooting with one outstanding suspect armed with a handgun.

We drove to the area of Marin Street and Louisiana Street in order to assist. Initially, we took up perimeter positions. I was on Louisiana Street between Marin Street and Sacramento Street. I was then asked to move to Packard Alley and assist with a perimeter position.

We were advised that this was going to be a S.W.A.T. call out so I responded back to the Police Station in order to get into my S.W.A.T. uniform. We responded back to the scene and began searching for the suspect (S1). Eventually S1 was located and taken into custody inside of the perimeter. (See other supplemental reports for further details).

Ofc R. McLaughlin and I then assisted with searching for the outstanding gun which S1 was seen holding as he fled from Ofc Tonn #673. We met up with Cpl Herndon #433 and Cpl Jaksch and searched a large shed in the rear of [REDACTED] Alabama Street. We did not locate the handgun. We searched all around the residence and inside of garbage cans and bushes. We still could not locate the gun.

The fire department responded with a ladder so that we could check roofs in the area. I checked the roof at the front residence at [REDACTED] Alabama Street with negative results.

This concluded my involvement on this incident.

See other supplemental reports and the main crime report for further details.

Ofc D. McLaughlin #664

Approved by Lt H. Robinson #331
07-10-2017

Prepared By:

664 MCLAUGHLIN, DAVID

Date:

07/10/2017

Approved By:

331 ROBINSON, HERMAN

Date:

07/10/2017

**VALLEJO POLICE DEPARTMENT**

111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 22 - Video

Page 1

17-8723

On 071117 I received an email from DDA Mark Ornellas of the Solano County District Attorney's Office. (M)-[REDACTED] had sent him an email asking who he should forward his "Nest" video camera footage to. Ornellas forwarded that email to me.

I called and spoke with [REDACTED]. He told me he was out of state Saturday when the incident occurred and he is now back home. He downloaded the video of the incident from the two cameras on his front porch and stated he was ready to give them to me. [REDACTED] emailed me the videos and they were placed on a CD and booked into evidence. I watched the videos and noticed the following:

The two camera angles are from the front porch of [REDACTED] Santa Clara St. This address sits at the [REDACTED] [REDACTED]. The first camera view (Camera 1) is facing in a [REDACTED] direction from the [REDACTED] which encompasses Packard Alley east of Santa Clara St. I can see the first house north of the alley on the east side of Santa Clara St. and half of the second house to the north.

The second camera view (Camera 2) faces [REDACTED] from the house. The camera view encompasses the second house north of the alley on the east side of the street and the house north of it. It also covers the eastern half of the intersection of Santa Clara St./ Alabama St. and looks east on Alabama St.

On the camera 1 video I can see Hurtado in a white tshirt running west through the alley onto the east sidewalk northbound on Santa Clara St. Hurtado appears to look back over his right shoulder into the alley as he rounds the corner to run northbound. His hands are held in front of his chest near his belly button and he appears to be holding something in his hands. His arms are not swinging as you would see when someone is normally running. Ofc. Tonn appears from the alley approximately five seconds after Hurtado. At the end of the alley you can see Officer Tonn bring both hands up in a shooting position and fire three shots. Ofc. Tonn then runs to the left (north) in the video and out of camera range.

There is sound with the video and the sound appears to have recorded faster than the video. Ofc. Tonn just comes into camera view out of the alley when you hear the shots, when in reality he has not fired his firearm yet.

Camera 2 shows Hurtado running to the left (north) on Santa Clara St. He is still running with his hands above his waistline as if he's carrying something. He continues north on Santa Clara St. on the east sidewalk and turns right to continue running east on Alabama St. on the south sidewalk. Hurtado runs out of view of the camera and you cannot see where he goes after he passes what appears to be the second house east of Santa Clara St.

The audio attached to this video also appears to be recording faster than the video. You can hear the sound of the gunshots just as Hurtado passes the blue PT cruiser in the driveway, which is the second house north of the alley.

Ofc. Tonn then comes into view approximately 11 seconds after Hurtado does.

The video was booked into evidence.

Prepared By:

618 GREENBERG, ROB

Date:

07/11/2017

Approved By:

553 IACONO, JOE

Date:

07/11/2017

**VALLEJO POLICE DEPARTMENT**

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111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 22 - Video

17-8723

Investigation continues.

Det. R. Greenberg #618

Prepared By:

618 GREENBERG, ROB

Date:

07/11/2017

Approved By:

553 IACONO, JOE

Date:

07/11/2017



VALLEJO POLICE DEPARTMENT

111 AMADOR ST VALLEJO, CA 94590
SUPPLEMENT 23 - Officer Tonn's firearm inspection

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On 071117 Sgt. Rodriguez asked me to perform an inspection of Ofc. Tonn's firearm. On 071317 I inspected the firearm and made the following observations:

-The firearm is a Glock, Model 21, .45 caliber pistol, serial number [REDACTED]. The same serial number appears on the frame, slide and barrel. This is a Vallejo Police Department issued weapon.

-The firearm had a weapon light attached to it. It is a Streamlight model TLR-1 HL, serial number [REDACTED]. There was a pressure pad attached to the activator switch on the back of the light that snaps along the bottom of the trigger guard with the activation button on the front strap of the grip.

-The firearm was clean and properly lubricated.

I field stripped the pistol and gun appeared to have all manufacturer parts with no after market parts noted. I manipulated the pistol and all safeties worked appropriately and the firearm was operable.

Investigation continues.

Det. R. Greenberg #618

Prepared By:

618 GREENBERG, ROB

Date:

07/13/2017

Approved By:

553 IACONO, JOE

Date:

07/13/2017

**VALLEJO POLICE DEPARTMENT**

111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 24 - Video enhancement

Page 1

17-8723

On 071217 I was asked to see if the Nest Camera video recovered from [REDACTED] Santa Clara St. and Ofc. Tonn's body camera footage could be enhanced. I contacted [REDACTED] (a forensic image analyst) who stated he could attempt to enhance it and provide any still photos that may be of interest.

[REDACTED] was provided Ofc. Tonn's body camera footage, Nest camera 1 and Nest camera 2 from (M)-[REDACTED] at [REDACTED] Santa Clara St.

On 071917 [REDACTED] sent back the synchronized video and attached a wave form. The audio for the Axon video was made into a wave form and [REDACTED] added frame numbers and times to indicate specific incidents on the video.

The final video is a slow motion time-aligned three camera matrix. The first video that begins to play is labeled as "cam 2", which is the camera from [REDACTED] Santa Clara St. that faces south toward the alley. It begins at actual Frame Number (AFN) 255, which is the 255th frame of the video [REDACTED] was given. That first frame starts at page 1.

(S)-Hurtado comes into view running west through the alley at frame AFN 257 (page 3). Hurtado rounds the corner and begins running north on the east curb of Santa Clara St. Hurtado passes the first house on the corner of the alley and approaches the driveway of the second house. There is a blue PT Cruiser in the driveway of that house. As Hurtado approaches the car, he appears to turn slightly right as if he was going to hide behind the car, blading the right side of his body in the direction of Officer Tonn. Hurtado also turns his head to the right at the same time. (AFN 450)

From the time Hurtado exits the alley, he is running with his hands in front of his stomach and chest indicating he is holding something. His hands are not swinging in a natural front and back motion as he runs. Ofc. Tonn said in his interview, Hurtado was running with the gun in his hand when he entered the alley. Midway through the alley, Ofc. Tonn stated Hurtado "re-holstered", or put the gun back in his waistband, and retrieved or attempted to retrieve it as he came out of the alley.

Ofc. Tonn's video begins at AFN 40. Based on Ofc. Tonn's body cam footage, he can see the right side of Hurtado's body, to include his hand due to the angle he is looking as he rounds the corner. He is taking a wide turn out of the alley to increase the area of Santa Clara St. he can. On the video you can see Ofc. Tonn pointing his firearm north as he exits the alley at Hurtado.

At AFN 92 on the AXON video (AFN 481 on CAM 1) Ofc. Tonn yells, "Drop it!" to Hurtado. That is appropriately 1.5 seconds after Hurtado was at the blue car with his right side visible to Ofc. Tonn, and presumably his firearm in his right hand based on Ofc. Tonn's statement. The average perception/reaction time for an officer to perceive a threat is .75-1.5 seconds.

Instead of dropping the gun and stopping, Hurtado continues to run north. Ofc. Tonn exits the alley, holds the firearm with both hands and fires his first shot at Hurtado in Axon AFN 149, approx 1.75 seconds after saying, "Drop it!"

Hurtado continues to run and eventually turns east on Alabama St. In AFN #321 from Nest CAM 1, there is what appears to be a gun in Hurtado's right hand. During his interview, I covered with Hurtado

Prepared By:

618 GREENBERG, ROB

Date:

08/23/2017

Approved By:

563 RODRIGUEZ, FABIO

Date:

09/01/2017



VALLEJO POLICE DEPARTMENT

111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 24 - Video enhancement

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what property he had on his person that day and the only thing that fit this description was a cell phone. In the picture I can clearly see the item is larger than a cell phone and probably the gun seen by Ofc. Tonn. (See attached still photo)

All enhanced video and still photos taken from the video were booked into evidence.

Forward to DA's Office.

Det. R. Greenberg #618

Prepared By:

618 GREENBERG, ROB

Date:

08/23/2017

Approved By:

563 RODRIGUEZ, FABIO

Date:

09/01/2017



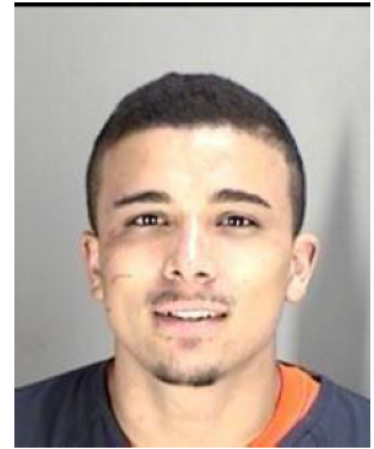
VALLEJO POLICE DEPARTMENT

Page 1

ARREST REPORT
PLANCARTE, DAVID

02/07/2018

Address [REDACTED]			Mailing Address				
ID [REDACTED]	Phone	Cell Phone	DOB 09/15/1996	Age 21	Sex M	Height 5'10"	Weight 170
Race HISPANIC			Hair BLACK		Eyes BROWN		
Drivers License [REDACTED]		CII [REDACTED]	Vehicle License		FBI # [REDACTED]		
Business Name		Address		City & State			
Business Phone	Email					Arrest ID 6083	
Next of Kin/Parent/Guardian		Address			Phone		
Occupation		Gang Affiliation			School ID		Undocumented Alien NO
Complexion MEDIUM	Build MEDIUM	Hairstyle		Facial Hair		Speech	Glasses NO
Scars				Tattoos			
Officer Safety				Note			
Other Considerations							
Aliases							
Arrest Date 07/08/2017	Arrest Time 16:00	Location of Arrest LOUISIANA ST / SONOMA BLVD				Case Number 17-8723	
Charges O/A Warrant FELONY Outside Warrant Arrest FELONY				Arresting Officers 618 - Greenberg, Rob		Booking Officer	
				Booking Number	Citation	Warrant Number CR183636	
				Offense Level FELONY (ADULT AND JUVENILE)	Action Taken BOOKING		
				Arrest Disposition OUTSIDE AGENCY WARRANT			
Property Description							
Arrest Details							



**VALLEJO POLICE DEPARTMENT**

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ARREST REPORT

02/07/2018

Address [REDACTED]			Mailing Address [REDACTED]					<div style="background-color: black; width: 100%; height: 100%;"></div>	
ID [REDACTED]	Phone	Cell Phone [REDACTED]	DOB [REDACTED]	Age [REDACTED]	Sex [REDACTED]	Height [REDACTED]	Weight [REDACTED]		
Race [REDACTED]			Hair [REDACTED]		Eyes [REDACTED]				
Drivers License [REDACTED]		CII [REDACTED]	Vehicle License		FBI # [REDACTED]				
Business Name		Address		City & State					
Business Phone	Email				Arrest ID 0				
Next of Kin/Parent/Guardian		Address			Phone				
Occupation		Gang Affiliation			School ID		Undocumented Alien NO		
Complexion [REDACTED]		Build [REDACTED]	Hairstyle		Facial Hair		Speech	Glasses NO	
Scars				Tattoos					
Officer Safety				Note					
Other Considerations									
Aliases [REDACTED]									
Arrest Date 07/08/2017	Arrest Time 16:00	Location of Arrest LOUISIANA ST / SONOMA BLVD					Case Number 17-8723		
Charges [REDACTED]				Arresting Officers 651 - Carpenter, William 653 - Jones, Dynelle			Booking Officer		
				Booking Number		Citation		Warrant Number	
				Offense Level FELONY (ADULT AND JUVENILE)		Action Taken OTHER			
				Arrest Disposition RELEASED					
Property Description									
Arrest Details									